

THE TOWN OF FOREST HEIGHTS
RESOLUTION 35-18

A RESOLUTION PLACING A CONDITION PRECEDENT FOR ANY EXPENDITURE REGARDING
LINE ITEM 7009 (SALARY – TOWN CLERK) IN THE FISCAL YEAR 2019 BUDGET

Introduced By: Council President Washington

WHEREAS, in cases of emergency ordinances, the Town Charter requirement of two readings of a regular ordinance may be suspended by the affirmative votes of five members of the Council, and although a Resolution 34-18 attempting to reach a compromise in order to pass the budget that same night passed on Thursday, June 7, 2018 by a vote of 5-2, Emergency Ordinance 01-18 (FY 2019 Budget) did not receive the required five (5) affirmative votes to pass as an emergency ordinance, with the vote for said emergency ordinance recorded as 4-2-1; and

WHEREAS, at the budget hearing and meeting held on June 7, 2018 a minority of the Councilmembers expressed their intent to limit or reduce Line Item # 7009 of the proposed FY 2019 Budget to reflect a salary equivalent to a 3% increase instead of an approximate 11% increase between FY18 and FY19 for the subject salary/compensation; and

WHEREAS, in an attempt to reach consensus to pass the proposed FY 2019 Budget with Line Item # 7009 at the original amount of \$50,500.00, three (3) Councilmembers stated they would vote for, or vote “in the affirmative” for Emergency Ordinance 01-18, with other amendments, provided the Council as a whole agreed not to pay or immediately disburse to the Clerk a salary equal to the budgeted amount but to instead pay the Clerk at an amount not to exceed a 3% increase over FY 2018 until such time as it was determined that the full budgeted amount should be paid the subject employee; and

WHEREAS, as indicated, despite the passage of a written resolution (Res. 34-18) on June 7, 2018 that placed a limitation on the expenditure of Line Item # 7009, Emergency Ordinance 01-18 nevertheless did not receive the required five (5) affirmative votes to pass as an emergency ordinance pursuant to the Town Charter; and

WHEREAS, pursuant to Section 3.30.A of the Employee Handbook, salaries and wages shall be evaluated annually and adjustments will be considered on the basis of performance, standard of service and current finances; and

WHEREAS, pursuant to Section 3.30.B of the Employee Handbook, it is the duty of the Town Administrator, the Mayor and all department heads to identify outstanding workers by conducting an annual performance evaluation and recommending adjustments in the rates of pay according to performance and financial limitations; and

WHEREAS, the Council finds that due to the fast approaching new fiscal year and certain financial constraints it is in the best interest of the Town to immediately pass Emergency Ordinance 01-18, as amended, with original amount of \$50,500.00 in Line Item # 7009 provided that the subject employee shall at the commencement of Fiscal Year 2019 receive only a partial or limited salary increase that is commiserate to or on the same level (i.e., a 3% increase) as other administrative employees until such time as the Mayor and/or Town Administrator demonstrates to the Council that said employee’s sustained performance merits the full salary increase as placed in the FY 19 Budget.

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NOW THEREFORE BE IT RESOLVED, that the above recitals are incorporated herein as if written word for word and that the Council hereby resolves to allow the payment of the Town Clerk in FY19 at an amount not to exceed a 3% increase over FY18 so that the salary change is at approximately the same level as the other administrative employees; and

BE IT FURTHER RESOLVED, that the Budget for FY19 will remain in the Detailed Line Item budget provided that actual payment is limited to a 3% increase until the Council passes a resolution or ordinance superseding this Resolution in the future; and

BE IT FURTHER RESOLVED, that on or about September 19, 2018, the Town Administrator shall tender to the Mayor and Council said employee's performance evaluation along with a brief statement of justification in support of any further recommended partial or full salary increase to increase the employee's salary to an amount equal to the full budgeted amount in the event the Council concurs with such recommendation.

PASSED this 20 day of June 2018.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD
KENNEDY II
MCLAURIN
BARNES
HINES
WASHINGTON
BROWNSON

Yea
Yea
absent
Yea
Yea
Yea
Nay

ATTEST:

THE TOWN OF FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

By: Mayor Habbib-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By: Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 20 day of June 2018 with 5 Aye votes and 1 Nay votes the aforesaid Resolution 35-18 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

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